

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

WILLIAM LOWTHER,

Plaintiff,

v.

UNKNOWN BLACKMAN,

Defendant.

CASE NO. 1:18-CV-1200

HON. ROBERT J. JONKER

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action on February 18, 2020 (ECF No. 28). The Report and Recommendation was duly served on the parties. No objections have been filed under 28 U.S.C. 636(b)(1)(C).

ACCORDINGLY, IT IS ORDERED that the Report and Recommendation of the Magistrate Judge (ECF No. 28) is approved and adopted as the opinion of the Court.

IT IS FURTHER ORDERED that Plaintiff's motion for summary judgment (ECF No 21) is **DENIED**.

IT IS FURTHER ORDERED that Defendant's motion to dismiss (ECF No. 17) is **GRANTED**.

IT IS FURTHER ORDERED this matter is **TERMINATED**.

IT IS FURTHER ORDERED that Plaintiff is denied a certificate of appealability.

The Court discerns no good-faith basis for appeal of this matter. *See McGore v. Wigglesworth*, 114 F.3d 601, 611 (6th Cir. 1997); 28 U.S.C. § 1915(a)(3).

Date: March 12, 2020

/s/ Robert J. Jonker
ROBERT J. JONKER
CHIEF UNITED STATES DISTRICT JUDGE